

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BETTY LIVERMORE, wife; and RON
LIVERMORE, husband;

Plaintiffs,

vs.

WALMART, INC., a foreign corporation;

Defendant.

8:21CV425

SECOND AMENDED
CASE PROGRESSION ORDER

This matter comes before the Court on the parties' Stipulation for Extension of Remaining Case Deadlines ([Filing No. 22](#)). After review of the parties' Stipulation, the Court finds good cause to grant the requested extensions. Accordingly,

IT IS ORDERED that the Stipulation for Extension of Remaining Case Deadlines ([Filing No. 22](#)) is granted, and the amended case progression order is amended as follows:

- 1) The trial and pretrial conference will not be set at this time. A planning conference to discuss case progression¹, dispositive motions, the parties' interest in settlement, and the trial and pretrial conference settings remains scheduled with the undersigned magistrate judge on **September 30, 2022**, at **11:30 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 2) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **October 17, 2022**.
- 3) The deadline for filing motions to dismiss and motions for summary judgment is **October 31, 2022**.
- 4) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 5) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 12th day of September, 2022.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge

¹ The parties referenced expert deadlines in their stipulation for an extension of the remaining case deadlines. That matter will be taken up during the planning conference, if necessary.